

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Walden Chase PUD Major Amendment and Final Master Plan Approval
(Thomas Daly, applicant)

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Dan Matthys **CONTACT:** Jeff Hopper **EXT** 7431

Agenda Date 08/09/05 **Regular** ☐ **Work Session** ☐ **Briefing** ☐
Public Hearing – 1:30 ☒ **Public Hearing – 7:00** ☐

MOTION/RECOMMENDATION:

1. APPROVE the request for a PUD Major Amendment and Final Master Plan Approval, subject to the attached Developer's Commitment Agreement, and authorize the Chairman to execute said documents, on approximately 8.1 acres located on the south side of Park Road, 600' east of Alafaya Trail, (Thomas Daly, applicant); or
2. DENY the request for a PUD Major Amendment and Final Master Plan Approval on approximately 8.1 acres, located on the south side of Park Road, 600' east of Alafaya Trail, (Thomas Daly, applicant); or
3. CONTINUE the request until a time and date certain.

(District 1 – Comm. Dallari)

(Jeff Hopper, Senior Planner)

BACKGROUND:

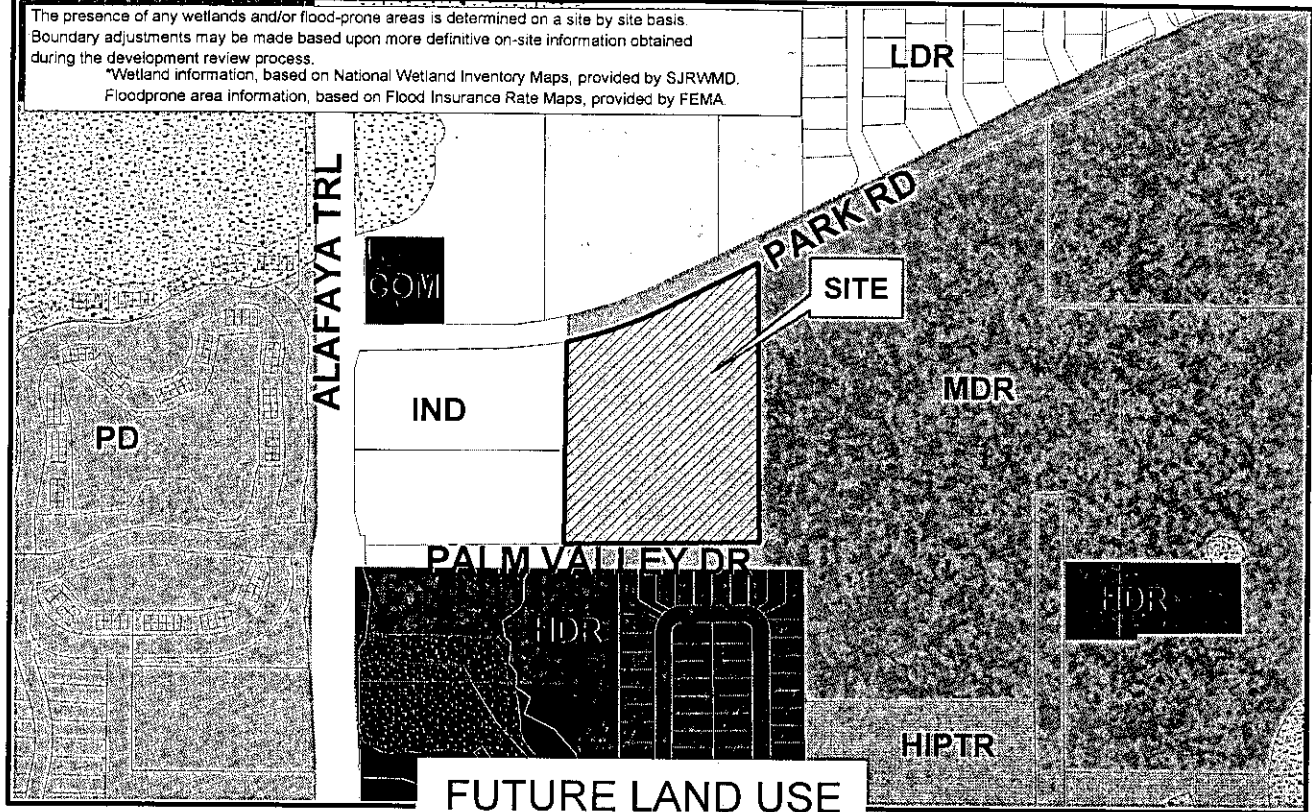
The applicant proposes a 64-unit townhouse development on an 8.09-acre site on Palm Valley Drive, at a maximum density of 9.05 units per net buildable acre. The subject property received approval in March 2005 for townhouse units, an amendment from the previous PUD approval for commercial and office uses. Due to issues with obtaining permission to access Palm Valley Drive, a private road to the south of the site, the applicant has resubmitted the plan for a Major PUD amendment along with Final Master Plan approval at this time.

STAFF RECOMMENDATIONS:

Staff recommends APPROVAL of the request subject to conditions listed in the attached Developer's Commitment Agreement.

Reviewed by:	<u>KR</u>
Co Atty:	
DFS:	
OTHER:	<u>MMW</u>
DCM:	<u>AK</u>
CM:	<u>JS</u>
File No.	<u>ph130pdp01</u>

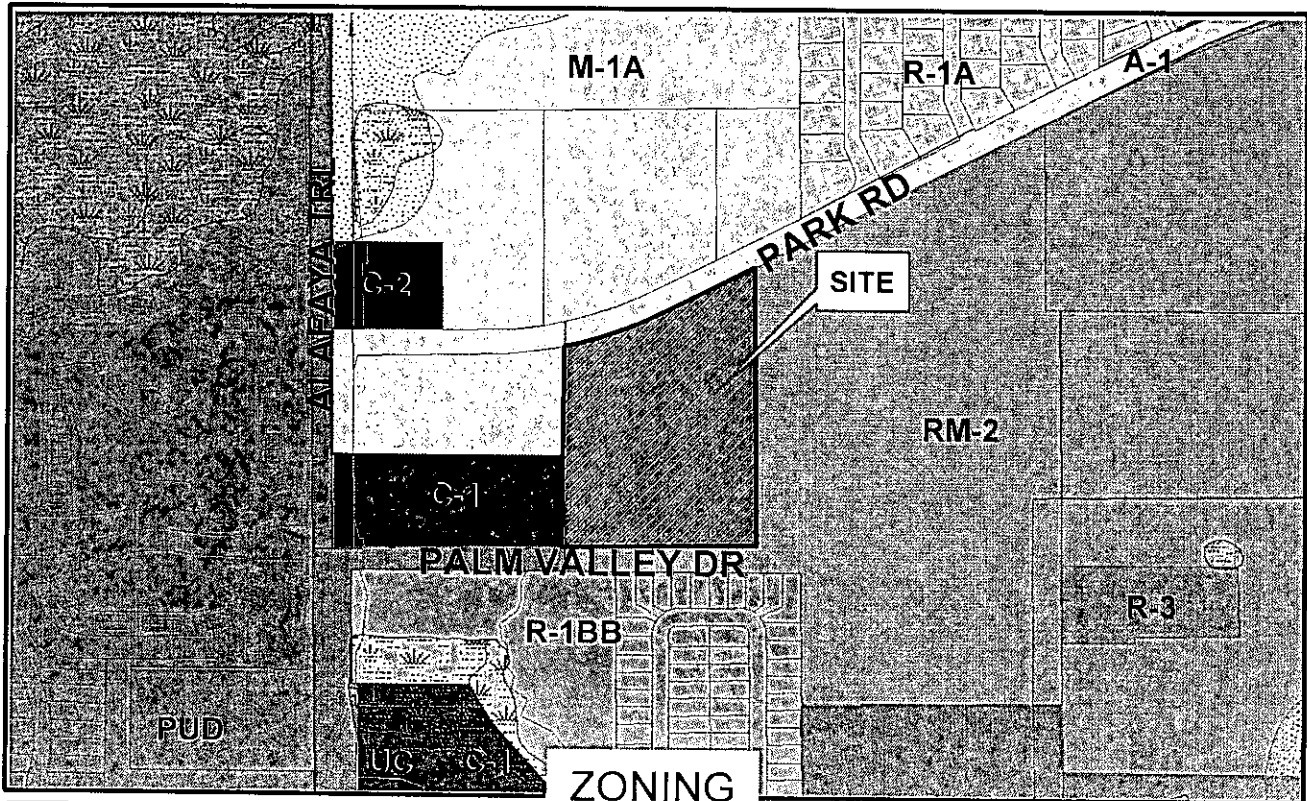
The presence of any wetlands and/or flood-prone areas is determined on a site by site basis. Boundary adjustments may be made based upon more definitive on-site information obtained during the development review process.
 *Wetland information, based on National Wetland Inventory Maps, provided by SJRWMD.
 Floodprone area information, based on Flood Insurance Rate Maps, provided by FEMA.



Site
 LDR
 MDR
 HDR
 PD
 COM
 IND
 HIPTR
 CONS

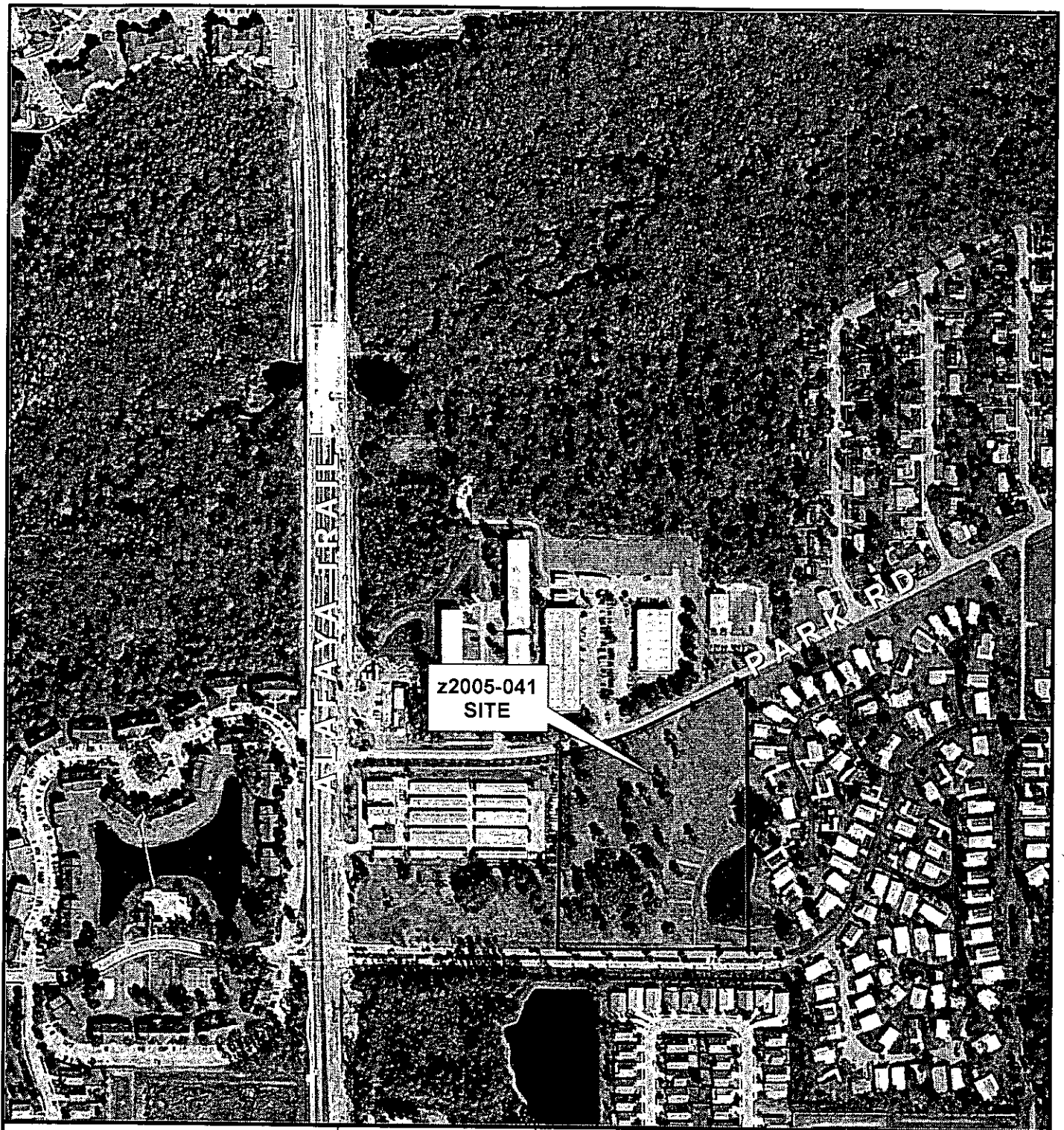
Applicant: Thomas Daly, Daly Design Group Inc.
 Physical STR: part of 34-21-31-503-0000-022A
 Gross Acres: +/- 8.09 BCC District: 1
 Existing Use: Vacant
 Special Notes: None

	Amend/ Rezone#	From	To
FLU	--	--	--
Zoning	Z2005-041	PUD	PUD





Site
 R-1A
 R-3
 RM-2
 C-1
 C-2
 M-1A
 PUD
 A-1

UC
 R-1BB
 FP-1
 W-1

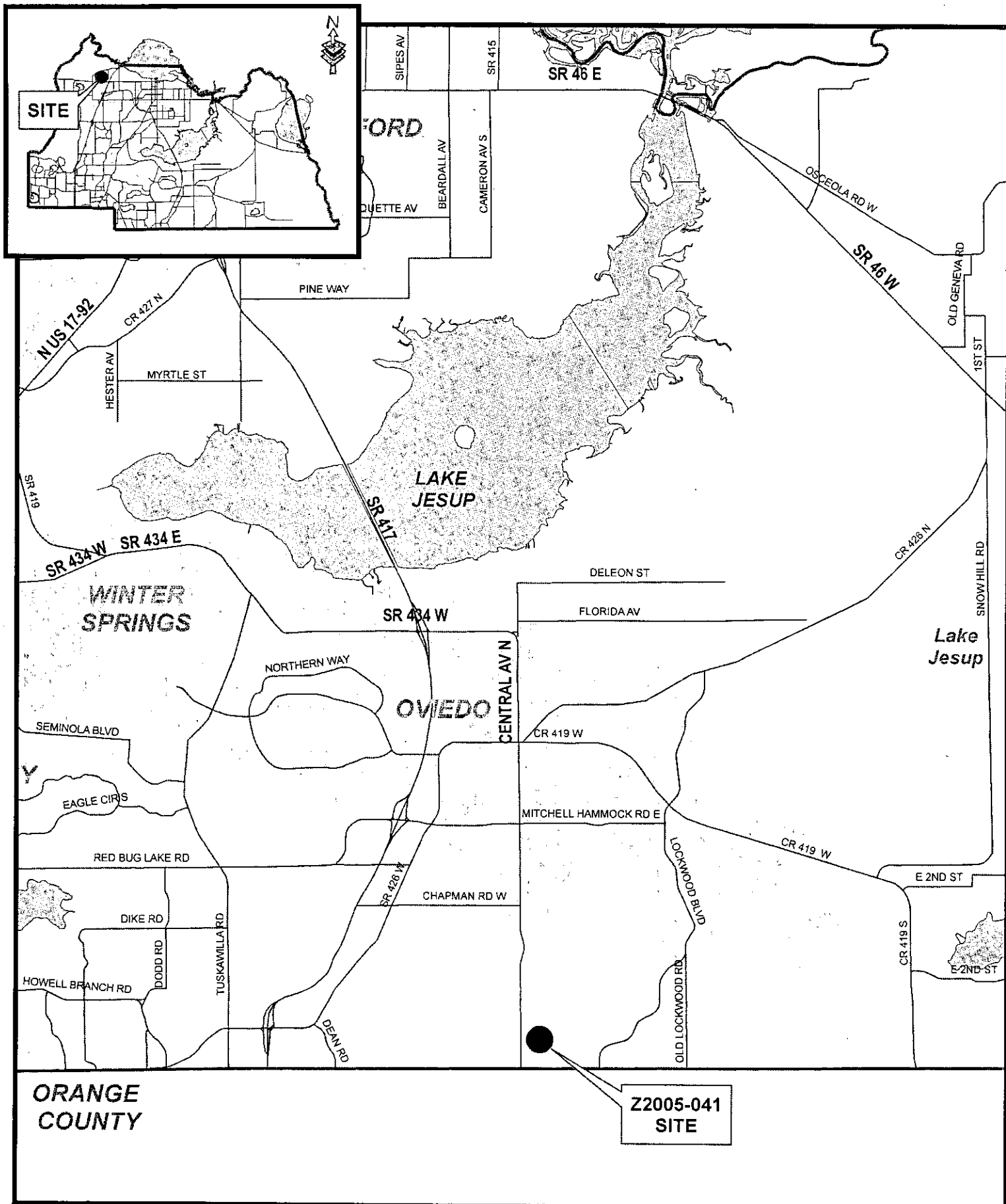


Rezone No: Z2005-041
From: PUD To: PUD

 Parcel
 Subject Property



January 2004 Color Aerials



WALDEN CHASE

REQUEST INFORMATION		
APPLICANT	Tom Daly / Daly Design Group	
PROPERTY OWNER	Fradkin Brothers Realty Co. LLC	
REQUEST	PUD Major Amendment and approval of Final Master Plan and Developer's Commitment Agreement	
HEARING DATE (S)	P& Z: NA	BCC: August 9, 2005
PARCEL NUMBER	34-21-31-503-0000-022A	
LOCATION	South side of Park Rd., 600' east of Alafaya Trail	
FUTURE LAND USE	Planned Development (PD)	
FILE NUMBER	Z2005-041	
COMMISSION DISTRICT	1 - Dallari	

OVERVIEW

The applicant proposes a 64-unit townhouse development on an 8.09-acre site on Palm Valley Drive, at a maximum density of 9.05 units per net buildable acre. The subject property received approval in March 2005 for townhouse units, an amendment from the previous PUD approval for commercial and office uses. Due to issues with obtaining permission to access Palm Valley Drive, a private road to the south of the site, the applicant has resubmitted the plan for a Major PUD amendment along with Final Master Plan approval at this time.

In its last action, the Board approved the proposed development for 74 units with a requirement for a cross access easement through the subject property, allowing two-way traffic between Park Road on the north and Palm Valley Drive on the south. This easement also was intended to provide access to an adjoining area to the west of the site, with the purpose of avoiding an additional access point on Palm Valley Drive in proximity to Alafaya Trail. This adjoining area is currently under the same ownership as the subject property, but is zoned C-1 commercial and has no relationship to the residential development now in question.

Since the time of the Board's approval, the applicant has been unable to resolve differences with the Palm Valley homeowners association with regard to obtaining full rights to access Palm Valley Drive to the south. Therefore, he wishes to re-configure the development to provide a full access point at Park Road, including ingress and egress. In addition, a proposed link to Palm Valley Drive would be limited to right-turn movements to the east to allow exiting traffic to use the existing traffic signal to turn south on Alafaya Trail. An existing median strip in Palm Valley Drive would prevent traffic leaving the site from turning left into the mobile home park.

In revising the development plan, the applicant has reduced the proposed number of units by 10 to a maximum of 64 townhomes. Units on the east side of the project have been shifted away from the adjacent mobile home park, and now are shown with a setback of more than 100 feet from that boundary. Proposed landscaping along the east has been increased from the previous plan, with a 4-foot berm along the north portion of that property line, and canopy trees 15 feet on center. The existing retention pond along the

east has been amenitized with a fountain, and screened with canopy trees at 20-foot intervals. Plantings along the other property lines have been increased as well.

After discussions with the applicant, it appears that none of the existing trees will be preserved on site. Therefore, all required canopy trees should be a minimum of 4" at the time of planting.

Existing Land Uses:

(North)

(West)	<u>NW</u> IND Warehouse <i>M-1A</i>	<u>N</u> IND Warehouse <i>M-1A</i>	<u>NE</u> LDR SF residential <i>R-1A</i>	(East)
	<u>W</u> IND mini-warehouse / vacant <i>M-1A / C-1</i>	<u>Site</u> PD Vacant <i>PUD</i>	<u>E</u> MDR Mobile Home park <i>RM-2</i>	
	<u>SW</u> HDR Subdivision retention area <i>R-1BB</i>	<u>S</u> HDR SF residential <i>R-1BB</i>	<u>SE</u> MDR Mobile Home park <i>RM-2</i>	

(South)

* See enclosed future land use and zoning maps for more details.

***Bold** text depicts future land use designation, plain text depicts the existing use, and *italicized* text depicts zoning district. See enclosed future land use and zoning map for more details.

SITE ANALYSIS

Facilities and Services:

1. Adequate facilities and services must be available concurrent with the impacts of development. If required by the concurrency review, additional facilities and services will be identified. The applicant has received concurrency approval..
2. The proposed rezone is consistent with the adopted future land use designation assigned to the property, and does not alter the options or long range strategies for facility improvements or capacity additions included in the Support Documentation to the Vision 2020 Plan.
3. Water and sewer service are provided by Seminole County.
4. Information on stormwater capacity and outfall must be provided prior to final engineering approval.

Compliance with Environmental Regulations: Prior to approval of final engineering plans, the developer will be required to provide a Listed Species survey report.

Compatibility with Surrounding Development: Subject to conditions in the attached Developer's Commitment Agreement, the proposed PUD amendment is compatible with surrounding developments and is consistent with the approved Planned Development (PD) future land use designation.

STAFF RECOMMENDATION

Staff recommends APPROVAL subject to conditions listed in the attached Developer's Commitment Agreement, which includes a requirement that the applicant obtain an executed agreement with the property owners of Palm Valley Mobile Home Park and the Palm Valley Homeowners Association to permit the proposed limited access on Palm Valley Drive. Without such an agreement, the proposed access should be removed from the plan.

**WALDEN CHASE
DEVELOPER'S COMMITMENT AGREEMENT**

On August 9, 2005 the Board of County Commissioners of Seminole County, Florida issued this Developer's Commitment Agreement relating to and touching and concerning the following described property:

1. LEGAL DESCRIPTION:

Legal description attached as Exhibit A.

2. PROPERTY OWNER:

Fradkin Brothers Realty Co. LLC
9199 Reisterstown Road
Owings Mills MD 21117

3. STATEMENT OF BASIC FACTS

- A. Total Area: 8.09 Acres
- B. Zoning: Planned Unit Development
- C. Net Density 9.1 units/acre, 64 units maximum
- D. The development approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance with all other applicable regulations and ordinances.

4. LAND USE BREAKDOWN

LAND USE	AREA (acres)	% OF SITE
Residential Lots	2.57	31.77
Landscape buffers	0.70	8.65
Recreational Areas	1.51	18.67
Amenitized Retention Areas	2.29	28.31
Private Road R/W	1.02	12.61
TOTAL AREA	8.09	100.00%

5. OPEN SPACE AND RECREATION AREAS

Required Open Space: 25% = 8.09 acres x 0.25 = 2.02 acres
Open Space Provided: 4.50 Acres

6. BUILDING SETBACKS

Building setbacks from the perimeter of the site shall be as follows:

North	25'
South	35'
East	25'
West	20'

Minimum required setbacks on individual lots shall be:

Front	22'
Rear	10'
Side	0'

In the event that sidewalks are installed in easements on privately owned lots, the front building setback shall be no less than 20 feet from the nearest edge of the sidewalk.

7. PERMITTED USES

- A. Attached single family dwelling units
- B. Single family homes
- C. Home occupations and home offices

8. LANDSCAPE & BUFFER CRITERIA

- A. All landscape buffers and common areas shall be maintained by a homeowners association. Landscape plantings shall meet minimum code requirements according to the Seminole County Land Development Code.
- B. The buffer along the east property line shall contain a 4-foot high berm between the north end of the retention pond and Park Road. This buffer shall be 15 feet in width and have the following landscape plantings:
 - 1) 18 canopy trees
 - 2) two parallel rows of wax myrtles on 15-foot centers, offset to create a continuous screen
- C. The east buffer shall follow the edge of the existing retention pond with a row of canopy trees 20 feet on center.
- D. The west buffer shall contain 4 canopy trees and 4 understory trees per 100 linear feet, and a 6-foot tall PVC fence.
- E. The buffer along Park Road shall be 15 feet wide with a 6-foot masonry wall and canopy trees 25 feet on center.
- F. The buffer along Palm Valley Drive shall be 17 feet wide with canopy trees 25 feet on center and a combination masonry wall and decorative fence 6 feet in height.
- G. Required canopy trees shall be 4" in diameter as measured 1 foot above the ground at time of planting. Required understory trees shall be 6 feet tall and 1.5" in diameter at the time of planting.

9. DEVELOPMENT COMMITMENTS

- A. All townhouse units shall be located on individual platted lots.
- B. Use of common areas shall be limited to open space, recreational amenities, and utility facilities serving all residents of the development.

- C. Front walls of townhouse units shall be staggered.
- D. No accessory buildings shall be allowed on individual townhouse lots.
- E. Sidewalks shall be provided adjacent to all dwelling units, and crosswalks shall be designated to establish continuous pedestrian access to all parts of the development. This shall include a crosswalk to visitor parking at the north end of the site, and a sidewalk at the head of any such spaces that abut unpaved areas.
- F. Sidewalks shall have a safe separation distance from the edge of pavement along internal streets, or a raised curb shall be provided. This shall be evaluated at Final Engineering.
- G. Sales materials on the proposed development shall clearly indicate the presence of industrial and commercial land uses to the north and west.
- H. Building height shall be limited to 35 feet.
- I. Existing trees that are preserved during construction may satisfy applicable landscaping requirements where they are located in buffer areas.
- J. The development shall not be designed or marketed as student housing. The Residential Property Owner shall record restrictive covenants encumbering the Property which shall be enforced by the Residential Association and which shall prohibit: (i) less than 80 percent of the residential units on the property from being owner occupied; (ii) any residential unit from being leased for a term of less than one (1) year; and (iii) more than 2 leases for any one residential unit during any 12 month period.
- K. Ingress/egress to the development shall be provided on Park Road. In addition, the developer shall provide, if possible, a limited-use exit to Palm Valley Drive for right-turn movements only. Prior to receiving Final Engineering approval for the development, the applicant shall provide Seminole County with proof of an executed agreement between the property owners of Palm Valley Mobile Home Park, the Palm Valley Homeowners Association, and the developer of the project. In the absence of such an agreement, the Palm Valley Drive access shall be removed from the development plan.

10. WATER, SEWER AND STORMWATER

SANITARY SEWER: Sanitary sewer shall be provided by Seminole County.

STORMWATER: Stormwater drainage and stormwater management shall be according to Seminole County's regulations.

FIRE PROTECTION: Fire protection shall be provided by Seminole County. Fire flow will be a minimum of 1,250 gpm with 20 p.s.i. Fire hydrant shall be located according to Seminole county regulations.

11. PHASING

The development will be constructed in 1 phase.

12. STANDARD COMMITMENTS

- A. Unless specifically addressed otherwise herein, all development shall fully comply with all of the codes and ordinances, including impact fee ordinances, in effect in Seminole County at the time of permit issuance.
- B. The conditions upon this development approval have been accepted by and agreed to by the Owners of the property.
- C. This development order touches and concerns the aforescribed property, and the conditions, commitments, and provisions of the development order shall perpetually burden, run with, and follow the said property and be a servitude upon and binding upon said property unless released in whole or by part by action of Seminole County by virtue of a document of equal dignity herewith. The Owners of said property have expressly covenanted and agreed to this provision and all other terms and provisions of the development order.
- D. The terms and provisions of the development order are not severable, and in the event any portion of this development order shall be found to be invalid or illegal, then the entire development order shall be null and void.

DONE AND ORDERED ON
THE DATE FIRST WRITTEN ABOVE

By: _____
Carlton D. Henley
Chairman

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Fradkin Brothers Realty Company LLC, on behalf of itself and its heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Witness

Print Name

By: _____
MARK FRADKIN
Officer

Witness

Print Name

STATE OF FLORIDA

COUNTY OF SEMINOLE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared MARK FRADKIN, and is personally known to me or who has produced _____ as identification and who acknowledged and executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2005.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

EXHIBIT A

Legal Description

A parcel of land comprising a portion of Lot 23, ORLANDO INDUSTRIAL PARK, according to the Plat thereof as recorded in Plat Book 10, Page 100 of the Public Records of Seminole County, Florida.

Being more particularly described as follows:

Begin at the Northwest corner of aforesaid Lot 23; also being a point on the Southerly right-of-way line of Park Road, also being a point on a non tangent curve concave Northwesterly and having a radius of 1156.78 feet; thence from a tangent bearing of North 79°30'39" East run Northeasterly along the Northerly line of said Lot 23, also being said Southerly right-of-way line, also being said curve through a central angle of 15°37'13" for an arc distance of 315.37 feet to a point of tangency; thence continuing along said Northerly line and said Southerly right-of-way line run North 63°53'26" East for a distance of 263.01 feet to a point on a line 125.00 feet West of and parallel with the Easterly line of said Lot 23; thence departing said Northerly line and said Southerly right-of-way line run South 00°02'02" West along said parallel line for a distance of 784.53 feet to a point on the Northerly right-of-way line of an unnamed private roadway; thence departing said parallel line run North 89°05'16" West along said Northerly right-of-way line for a distance of 537.29 feet to a point on the Westerly line of aforesaid Lot 23; thence departing said Northerly right-of-way line thence run North 00°18'31" East along said Westerly line for a distance of 561.53 feet to aforesaid POINT OF BEGINNING.

Contains 8.09 acres more or less.

EXHIBIT B
FINAL MASTER PLAN

Legal Description:

A parcel of land comprising a portion of Lot 23, ORLANDO INDUSTRIAL PARK, according to the Plat thereof as recorded in Plat Book 10, Page 100 of the Public Records of Seminole County, Florida.

Being more particularly described as follows:

Begin at the Northwest corner of aforesaid Lot 23; also being a point on the Southerly right-of-way line of Park Road, also being a point on a non tangent curve concave Northwesterly and having a radius of 1156.78 feet; thence from a tangent bearing of North 79°30'39" East run Northeasterly along the Northerly line of said Lot 23, also being said Southerly right-of-way line, also being said curve through a central angle of 15°37'13" for an arc distance of 315.37 feet to a point of tangency; thence continuing along said Northerly line and said Southerly right-of-way line run North 63°53'26" East for a distance of 263.01 feet to a point on a line 125.00 feet West of and parallel with the Easterly line of said Lot 23; thence departing said Northerly line and said Southerly right-of-way line run South 00°02'02" West along said parallel line for a distance of 784.53 feet to a point on the Northerly right-of-way line of an unnamed private roadway; thence departing said parallel line run North 89°05'16" West along said Northerly right-of-way line for a distance of 537.29 feet to a point on the Westerly line of aforesaid Lot 23; thence departing said Northerly right-of-way line thence run North 00°18'31" East along said Westerly line for a distance of 561.53 feet to aforesaid POINT OF BEGINNING.

Contains 8.096 acres more or less.

Walden Chase Planned Development

Final Master Plan

Seminole County, Florida

June 2005

Revisions

07.20.05

Revised to remove typical road section

Prepared for:
Centex Homes
385 Douglas Avenue, Suite 2000
Altamonte Springs, FL 32714

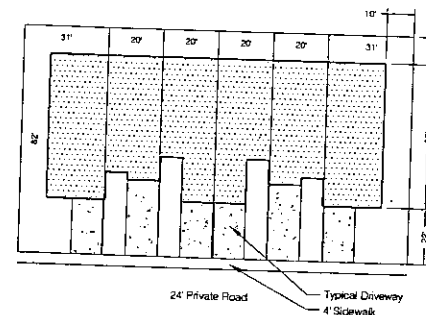
Owners
Fradkin Brothers Realty Co. LLC
9199 Reister Town Rd.
Owings Mills, MD 21117
Contact: Mark Fradkin

Developer
Centex Homes
385 Douglas Ave., Suite 2000
Altamonte Springs, FL 32714
(407) 661 2189
Contact: Michael Oliver .PE.

Applicant/Agent
Daly Design Group
913 N. Pennsylvania Ave.
Winter Park, FL 32789
(407) 740 7373
Contact: Thomas Daly ASLA

Engineer
Madden Engineering, Inc.
431 E. Horatio Ave., Suite 260
Maitland, FL 32751
407-629-8330
Contact: Charlie Madden

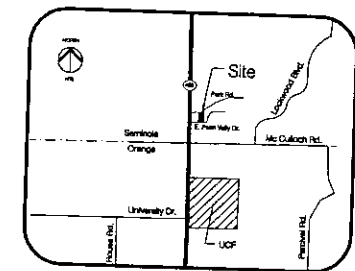
Surveyor
Allen & Company
16 E Plant St.
Winter Garden, FL 34787
407-654-5355
Contact: James L. Rickman



Typical Lot Layout
Not To Scale



Typical Building Front Elevation
Not To Scale



Location Map

Site Data

Overall Site	
Parcel ID Number	34-21-31-503-0000-022A
Total Land Area	8.095 ac.
Approved Zoning	PUD
Approved Land Use Designation	PUD
Total Units	64
Proposed Net Density	9.05 Units/ac
Maximum Building Height	35' (2 story)
Typical Lot Size	1,640 s.f. (27' x 62')
Minimum Frontage	20'
Minimum Living Area	1,000
Potential School Age Children	52

Tract Data

A' Private Roadway	1.02 ac.
B' Open Space, and Recreation	0.65 ac.
C' Buffer and Open Space	0.52 ac.
D' Drainage, Open Space, Recreation, and Buffer	0.76 ac.
E' Retention, Open Space, and Buffer	1.24 ac.
F' Retention, Open Space, and Buffer	0.31 ac.
H' Lift Station	0.00 ac.
G' Retention, Open Space, and Buffer	0.56 ac.
I' Open Space, and Landscape	0.36 ac.

Property Setbacks

North Property Line	25'
South Property Line	35'
East Property Line	25'
West Property Line	25'
*Sidewalks to be a minimum of 20' from the front building line.	

Minimum Building Setbacks on Lots

Front	22'
Rear	10'
Side	0'

Minimum Building Separation Requirements

Side to Side	20'
Side to Rear	30'

Parking

Required Spaces	128 (2/unit)
Garage	64
Driveway	64
Visitor	20
Total Parking	148

(Ref. Sec. 30.445(f)(1))

Landscape Buffers & Greenbelts	0.70 acres
Recreational Areas	1.51 acres
Antennized Retention Areas	2.29 acres
Usable Open Space	4.50 acres
Required Usable Open Space	2.02 acres

Net Buildable Acreage Calculation

Gross Site Area	8.09 acres
External R/W Deductions	0.00 acres
Nonresidential Outparcels	0.00 acres
Wellhead	0.00 acres
Flood Prone Areas	0.00 acres
Public Road R/W	0.00 acres
Private Road R/W	0.00 acres
Drive Aisles (excl. Alleys)	0.00 acres
Lakes	0.00 acres
Transmission Line Easements	0.00 acres
Net Buildable Area	7.07 acres
Units	64 units
Net Density	9.05 units/acre
Gross Density	7.91 units/acre
Average Density	8.48 units/acre

General Notes

- Streets will be privately owned & maintained by the home owners association.
- Buffer, landscaping, and common areas will be privately owned & maintained by The Homeowners Association.
- Project infrastructure will be developed in one phase.
- Solid waste collection will be curbside pick-up.
- Fire flow to be provided with at least 1250 gpm at 20 psi residual pressure.
- An easement over tract 'A' will be granted to Seminole County for purposes of maintaining utilities.
- Tract 'G' (lift station) will be dedicated to Seminole County.
- All stormwater management piping and ponds will be privately owned and maintained.
- Project outfall system will be owned and maintained by Seminole County.
- Accessory buildings will not be permitted.

Sheet Index

SHEET	DESCRIPTION
FMP 1	Cover
FMP 2	Existing Conditions Plan
FMP 3	Final Master Plan
FMP 4	Utility Plan
FMP 5	Conceptual Landscape Plan
FMP 6	Earthmoving Concept Plan

daly design group, inc.
Land Planning • Landscape Architecture • Project Management
913 N. Pennsylvania Ave., Winter Park, Florida 32789
Phone 407.740.7373 • Fax 407.740.7661 • www.dalydesign.com
Date: June 2005 Scale: As Noted Job No.: 2421

JUL 21 2005

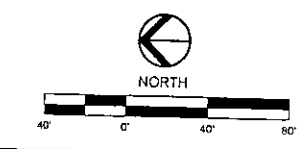
day design group inc.
 Land Planning, Landscape Architecture, Project Management, Development Consulting
 913 N. Pennsylvania Ave., Winter Park, Florida 32789 (407) 740-7373 www.daydesign.com

REV	DATE	DESCRIPTION	BY

Conceptual Landscape Plan
 Final Master Plan
 Walden Chase
 Seminole County, Florida

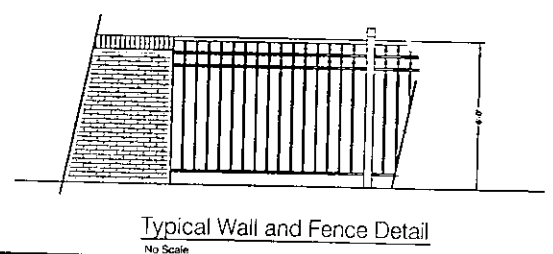
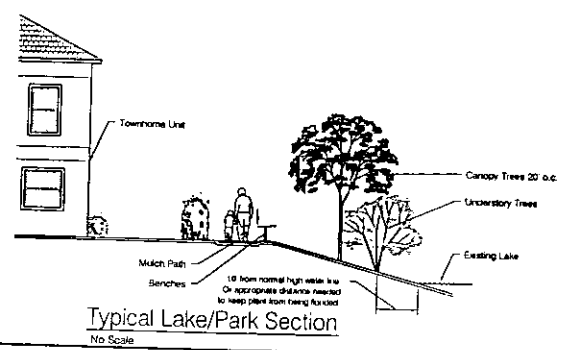
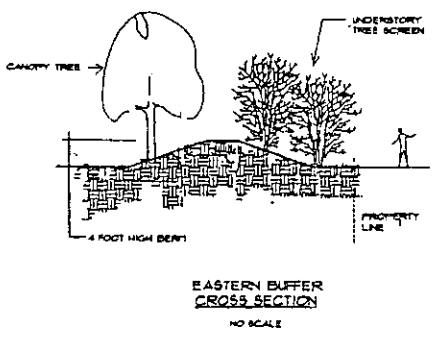
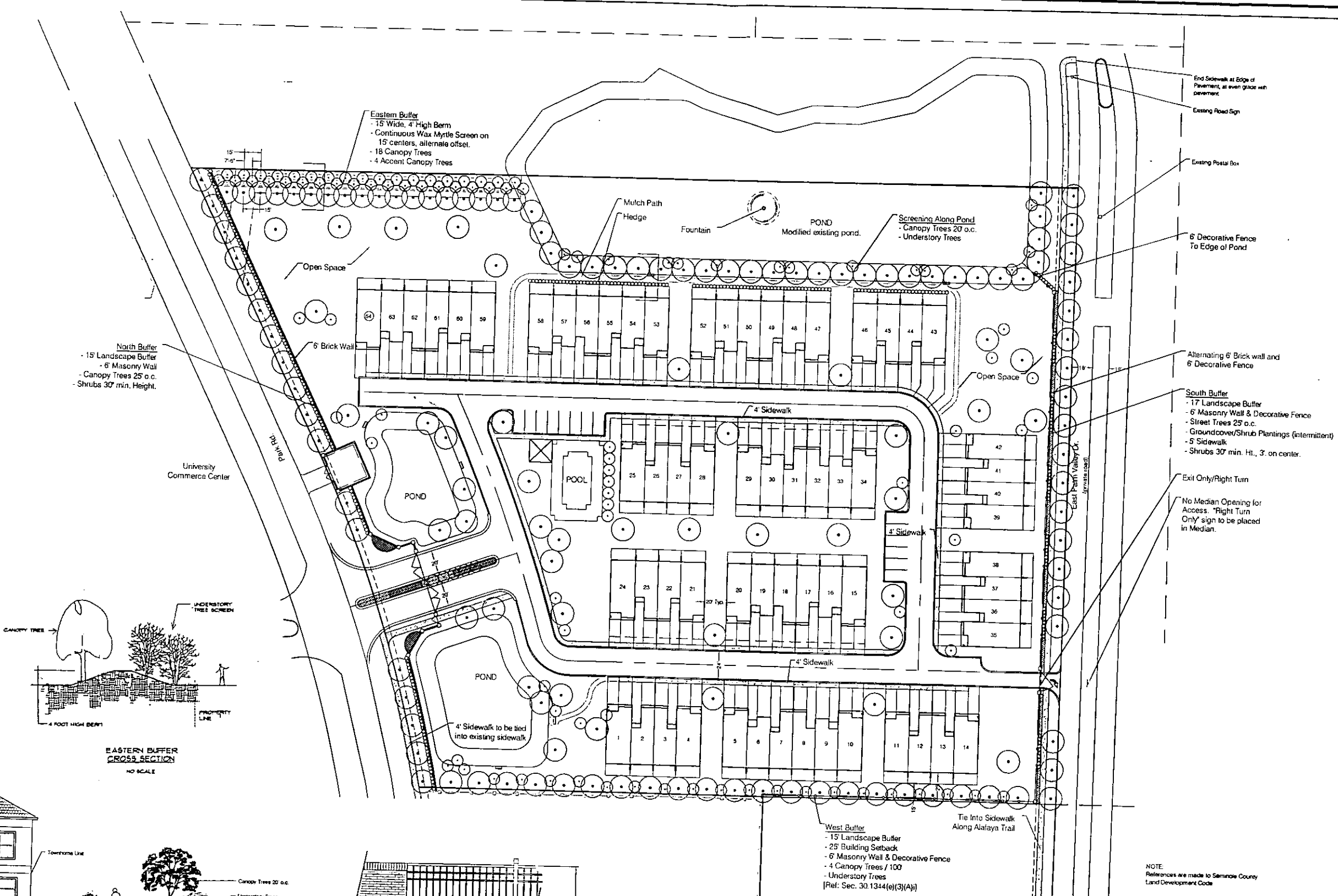


PROJECT NO.
2421
 SCALE
1"=40'
 DATE
May 2005
 SHEET
FMP 5



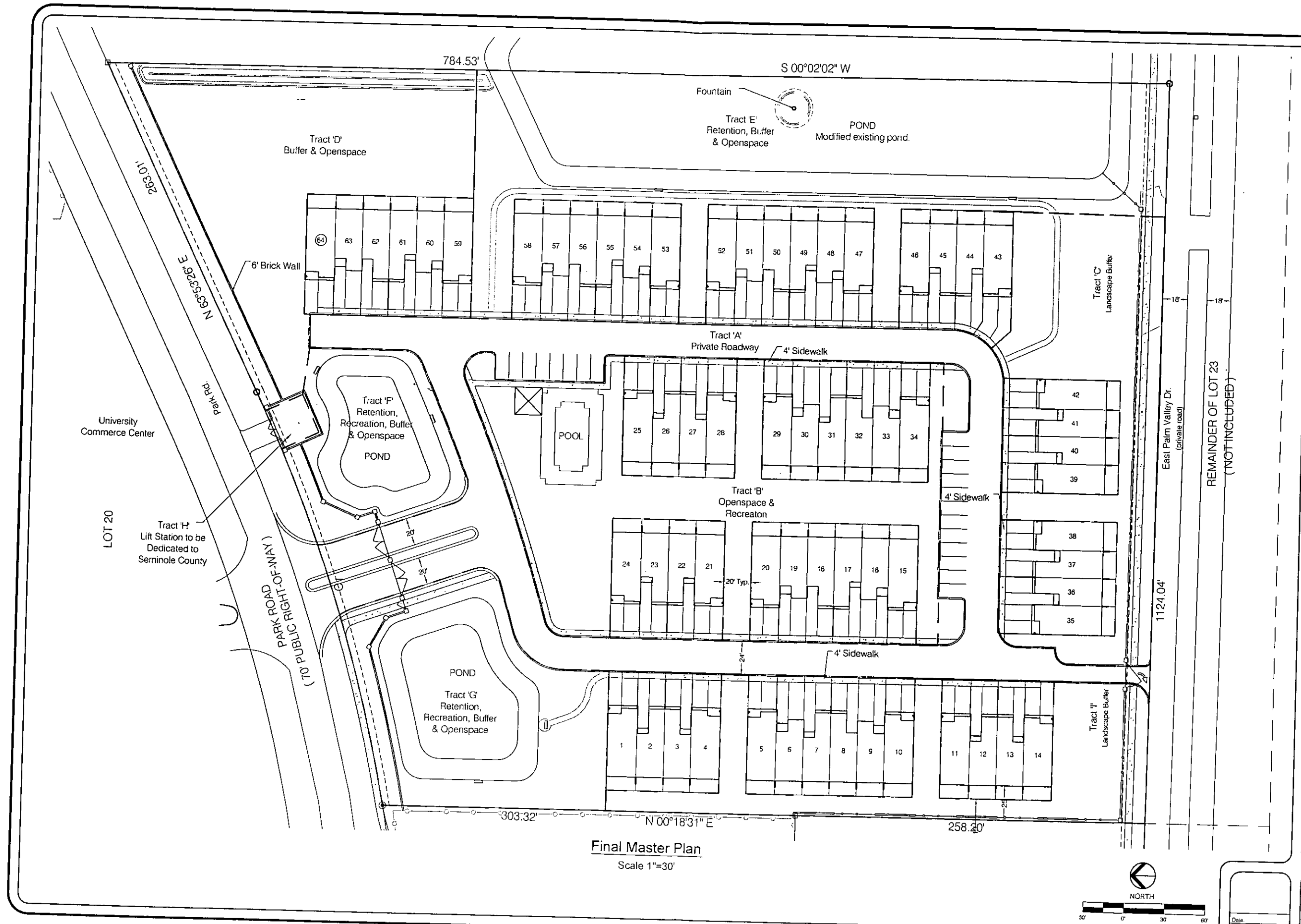
NOTE:
 References are made to Seminole County
 Land Development Code

Conceptual Landscape Plan
 Scale 1"=40'

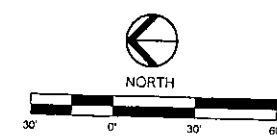


West Buffer
 - 15' Landscape Buffer
 - 25' Building Setback
 - 6' Masonry Wall & Decorative Fence
 - 4 Canopy Trees / 100'
 - Understory Trees
 [Ref: Sec. 30.1344(e)(3)(A)]

Tie Into Sidewalk
 Along Alalaya Trail

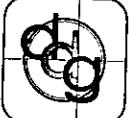


Final Master Plan
Scale 1"=30'



REMAINDER OF LOT 23
(NOT INCLUDED)

Final Master Plan
Final Master Plan
Walden Chase
Seminole County, Florida



PROJECT NO.
2421
SCALE
1"=30'
DATE
June 2005
SHEET
FMP-3

daly design group inc.
Land Planning, Landscape Architecture, Project Management, Development Consulting
913 N. Pennsylvania Ave., Winter Park, Florida 32789 (407) 740-7373 www.dalydesign.com

REV	DATE	DESCRIPTION	BY

**SEMINOLE COUNTY DEVELOPMENT
ORDER**

On March 22, 2005, Seminole County issued this Development Order relating to and touching and concerning the following described property:

Legal description attached as Exhibit A.

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: Fradkin Brothers Realty Co. LLC
9199 Reisterstown Road
Owings Mills MD 21117

Project Name: WALDEN CHASE PUD

Requested Development Approval: SMALL SCALE LAND USE AMENDMENT
FROM PLANNED DEVELOPMENT (PD) TO
PLANNED DEVELOPMENT (PD) AND
REZONING FROM PUD TO PUD TO PERMIT
TOWNHOUSE DEVELOPMENT

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: JEFF HOPPER
1101 East First Street
Sanford, Florida 32771

WALDEN CHASE TOWNHOMES PUD
DEVELOPMENT ORDER

NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:

1. The aforementioned application for development approval is **GRANTED**.
2. All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.
3. The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

4. STATEMENT OF BASIC FACTS

- A. Total Area: 8.09 Acres
- B. Zoning: Planned Unit Development
- C. Net Density 10 units/acre
- D. The development approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance with all other applicable regulations and ordinances.

5. LAND USE BREAKDOWN

LAND USE	AREA (acres)	% OF SITE
Residential Lots	2.89	35.7
Utility & access R/W	1.71	21.1
Buffer, Drainage & Open Space tract	3.49	43.2
TOTAL AREA	8.09	100.00

6. OPEN SPACE AND RECREATION AREAS

Required Open Space: 25% = 8.01 acres x 0.25 = 2.02 acres
Open Space Provided: 3.47 Acres

7. BUILDING SETBACKS

Building setbacks from the perimeter of the site shall be as follows:

North	25'
South	35'
East	25'
West	20'

Minimum required setbacks on individual lots shall be:

Front	22'
Rear	10'
Side	0'

In the event that sidewalks are installed in easements on privately owned lots, the front building setback shall be no less than 20 feet from the nearest edge of the sidewalk.

8. PERMITTED USES

- A. Attached single family dwelling units
- B. Single family homes
- C. Home occupations and home offices

9. LANDSCAPE & BUFFER CRITERIA

All landscape buffers and common areas shall be maintained by a homeowners association. Landscaping plantings shall meet minimum code requirements according to the Seminole County Land Development Code.

- A. Buffer along the east and west property lines shall contain four (4) canopy trees per 100 linear feet, understory trees (minimum 6 feet tall at planting) and a six-foot (6') tall PVC fence.
- B. Buffer along Park Road shall be 15 feet wide and contain a six feet tall masonry wall with street trees 25 feet on center.
- C. Buffer along Palm Valley Drive shall be 10 feet wide and contain a 6-foot tall masonry wall. The buffer shall include 4 canopy trees per 100 feet.

10. DEVELOPMENT COMMITMENTS

- A. All townhouse units shall be located on individual platted lots.
- B. Balconies and similar appurtenances shall be prohibited on units having rear walls within 50 feet of the east property line.
- C. Use of common areas shall be limited to open space, recreational amenities, and utility facilities serving all residents of the development.
- D. Front walls of townhouse units shall be staggered.
- E. No accessory buildings shall be allowed on individual townhouse lots.
- F. Sidewalks shall be provided adjacent to all dwelling units, and crosswalks shall be designated to establish continuous pedestrian access to all parts of the development. This shall include a crosswalk to visitor parking at the north end of the site, and a sidewalk at the head of any such spaces that abut unpaved areas.
- G. Sales materials on the proposed development shall clearly indicate the presence of industrial and commercial land uses to the north and west.
- H. Building height shall be limited to 35 feet.
- I. Existing trees that are preserved during construction may satisfy applicable landscaping requirements where they are located in buffer areas.

- J. The development shall not be designed or marketed as student housing. The Residential Property Owner shall record restrictive covenants encumbering the Property which shall be enforced by the Residential Association and which shall prohibit: (i) less than 80 percent of the residential units on the property from being owner occupied; (ii) any residential unit from being leased for a term of less than one (1) year; and (iii) more than 2 leases for any one residential unit during any 12 month period.
- K. The developer shall record a cross access easement of adequate width to accommodate a cross access road through the project that allows two-way traffic to travel between Park Road and Palm Valley Drive, and also to provide access to the parcel located at the northeast corner of Palm Valley Drive and Alafaya Trail. The developer shall complete the construction of said cross access road and record the cross access easement prior to the issuance of the first certificate of occupancy for the project. The cross access road shall be located adjacent to and parallel to the west property line of the project. The details of its final location, design and construction shall be determined during the Final Master Plan review stage. Access will be allowed onto Palm Valley Drive subject to the applicant providing Seminole County with proof of an executed agreement between the property owners of Palm Valley Mobile Home Park, the Palm Valley Homeowners Association, and the developer of the project.

11. WATER, SEWER AND STORMWATER

SANITARY SEWER: Sanitary sewer shall be provided by Seminole County.

STORMWATER: Stormwater drainage and stormwater management shall be according to Seminole County's regulations.

FIRE PROTECTION: Fire protection shall be provided by Seminole County. Fire flow will be a minimum of 1,250 gpm with 20 p.s.i. Fire hydrant shall be located according to Seminole county regulations.

12. PHASING

The development will be constructed in 1 phase.

13. STANDARD COMMITMENTS

- A. Unless specifically addressed otherwise herein, all development shall fully comply with all of the codes and ordinances, including impact fee ordinances, in effect in Seminole County at the time of permit issuance.
- B. The conditions upon this development approval have been accepted by and agreed to by the Owners of the property.

- C. This development order touches and concerns the aforescribed property, and the conditions, commitments, and provisions of the development order shall perpetually burden, run with, and follow the said property and be a servitude upon and binding upon said property unless released in whole or by part by action of Seminole County by virtue of a document of equal dignity herewith. The Owners of said property have expressly covenanted and agreed to this provision and all other terms and provisions of the development order.
- D. The terms and provisions of the development order are not severable, and in the event any portion of this development order shall be found to be invalid or illegal, then the entire development order shall be null and void.

DONE AND ORDERED ON
THE DATE FIRST WRITTEN ABOVE

By: _____

Carlton D. Henley

Chairman

OWNER'S CONSENT AND COVENANT

COMES NOW, the owner, Fradkin Brothers Realty Company LLC, on behalf of itself and its heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Witness

Print Name

By: _____
MARK FRADKIN
Officer

Witness

Print Name

STATE OF FLORIDA

COUNTY OF SEMINOLE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared MARK FRADKIN, and is personally known to me or who has produced _____ as identification and who acknowledged and executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2005.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires:

EXHIBIT A

Legal Description

A parcel of land comprising a portion of Lot 23, ORLANDO INDUSTRIAL PARK, according to the Plat thereof as recorded in Plat Book 10, Page 100 of the Public Records of Seminole County, Florida.

Being more particularly described as follows:

Begin at the Northwest corner of aforesaid Lot 23; also being a point on the Southerly right-of-way line of Park Road, also being a point on a non tangent curve concave Northwesterly and having a radius of 1156.78 feet; thence from a tangent bearing of North 79°30'39" East run Northeasterly along the Northerly line of said Lot 23, also being said Southerly right-of-way line, also being said curve through a central angle of 15°37'13" for an arc distance of 315.37 feet to a point of tangency; thence continuing along said Northerly line and said Southerly right-of-way line run North 63°53'26" East for a distance of 263.01 feet to a point on a line 125.00 feet West of and parallel with the Easterly line of said Lot 23; thence departing said Northerly line and said Southerly right-of-way line run South 00°02'02" West along said parallel line for a distance of 784.53 feet to a point on the Northerly right-of-way line of an unnamed private roadway; thence departing said parallel line run North 89°05'16" West along said Northerly right-of-way line for a distance of 537.29 feet to a point on the Westerly line of aforesaid Lot 23; thence departing said Northerly right-of-way line thence run North 00°18'31" East along said Westerly line for a distance of 561.53 feet to aforesaid POINT OF BEGINNING.

Contains 8.096 acres more or less.

PARCEL DETAIL DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY, FL 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7506																																																			
GENERAL Parcel Id: 22-21-30-513-0000-0220 Tax District: 01-COUNTY-TX DIST 1 Owner: BLANCHARD PAUL A Exemptions: 00-HOMESTEAD Address: 1393 WUKON CIR City, State, Zip Code: CASSELBERRY FL 32707 Property Address: 1393 WUKON CIR CASSELBERRY 32707 Subdivision Name: ROYAL OAKS Dor: 01-SINGLE FAMILY		2005 WORKING VALUE SUMMARY Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$135,458 Depreciated EXFT Value: \$0 Land Value (Market): \$30,000 Land Value Ag: \$0 Just/Market Value: \$165,458 Assessed Value (SOH): \$148,262 Exempt Value: \$25,000 Taxable Value: \$123,262 Tax Estimator																																																	
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